



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, Washington 98101-3140

JUN 21 2016

OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE-101

Certified Mail - Return Receipt Requested

Ms. Linda T. Edwards
Alyeska TAPS
P.O. Box 196660
Anchorage, Alaska 99519

Re: **NOTICE OF VIOLATION**
Alyeska TAPS North Star Terminal
EPA ID Number AKD 98037 6282

Dear Ms. Edwards:

This Notice of Violation (NOV) is to inform you of violations of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. § 6901 et seq. These violations were identified as a result of an inspection performed by the U.S. Environmental Protection Agency (EPA) on June 12, 2015, at the Alyeska TAPS North Star Terminal located at 701 Bidwell Street, Fairbanks, Alaska. The purpose of the inspection was to ensure compliance with RCRA hazardous waste generator standards, requirements for management of universal waste, and requirements for management of used oil. This inspection was performed pursuant to the EPA's authority under Section 3007 of RCRA, 42 U.S.C. § 6927.

From the observations made during the inspection, the following RCRA violations were identified at the facility:

Violation 1: Failure to conduct weekly inspections

The regulations at 40 C.F.R. § 262.34(d) allow a small quantity generator to accumulate hazardous waste on site without a permit provided that they meet certain conditions. One of those conditions is compliance with 40 C.F.R. § 265.174 which requires that, at least weekly, the owner or operator must inspect the areas where hazardous waste containers are stored, looking for leaking containers and deterioration of containers.

According to records provided by facility staff, Alyeska TAPS North Star Terminal generated between 220 and 2,200 pounds per month from September 1, 2014 through December 31, 2014. During this period, Alyeska TAPS North Star Terminal qualified as a small quantity generator and was required to conduct weekly inspections. In reviewing inspection records provided by facility personnel, the EPA inspector found that weekly inspections were not conducted in 2014 for the weeks of August 31 – September 6, September 21 – 27 and December 14 – 20 in violation of 40 C.F.R. § 262.34(d)(2).

Violation 2: Failure to properly label universal waste batteries

The regulation at 40 C.F.R. § 273.14(a) requires that containers of universal waste batteries be labeled with the words "Universal Waste – Batteries," "Waste Batteries," or "Used Batteries."

On June 12, 2015, there was a container of universal waste lithium batteries in the office building hallway that was not labeled with the words "Universal Waste – Batteries," "Waste Batteries," or "Used Batteries." Failure to properly label universal waste batteries is a violation of 40 C.F.R. § 273.14(a).

Prior to the inspector leaving the facility, the container of universal waste batteries was properly labeled. Therefore, this violation has been corrected.

Violation 3: Accumulation of universal waste for more than one year

The regulation at 40 C.F.R. § 273.15(a) allows a small quantity handler of universal waste to accumulate universal waste for no more than one year from the date the waste was generated.

On June 12, 2015, a container of lead-acid batteries in the Line-Wide Shop was marked with an accumulation start date of April 2, 2014, indicating that the batteries had been accumulated for more than one year. Accumulating universal waste for more than one year is a violation of 40 C.F.R. § 273.15(a).

Following the inspection, documentation was received indicating that the universal waste batteries had been shipped offsite. Therefore, this violation has been corrected.

No Further Action Required

The violations were addressed at the time of or soon after the inspection. Therefore, no further action is required to address the violations.

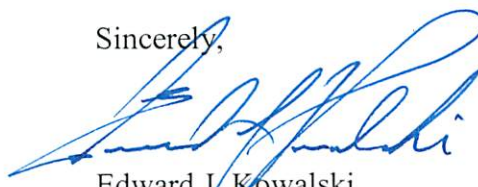
EPA Reservation of Rights

Notwithstanding this NOV or your response, EPA reserves the right to take any action pursuant to RCRA or any other applicable legal authority, including without limitation, the right to seek injunctive relief, implementation of response actions or corrective measures, cost recovery, monetary penalties, and punitive damages. Your compliance with this NOV does not constitute compliance with RCRA.

Nothing in this NOV shall affect duties, obligations, or responsibilities with respect to Alyeska TAPS North Star Terminal under local, state, or federal law or regulation.

Thank you for your prompt attention to this important matter. If you have questions regarding this NOV, please contact Jack Boller of my staff at 206-553-2953 or by email at bolter.jack@epa.gov.

Sincerely,



Edward J. Kowalski
Director